

REMARKS

This Application has been carefully reviewed in light of the Final Office Action mailed July 27, 2004. Claims 1-4, 6-16, 18-46, and 48-51 are pending in the Application and are rejected in the Office Action. As described below, Applicants believe all claims to be allowable over the cited references. Therefore, Applicants respectfully request reconsideration and full allowance of all pending claims.

The Office Action rejects Claims 1-4, 6-16, 18-46, and 48-51 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,389,130 issued to Shenoda ("*Shenoda*"). "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987); M.P.E.P. § 2131. In addition, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claims" and "[t]he elements must be arranged as required by the claim." *Richardson v. Suzuki Motor Co.*, 9 USPQ 2d 1913, 1920 (Fed. Cir. 1989); *In re Bond*, 15 USPQ 2d 1566 (Fed. Cir. 1990); M.P.E.P. § 2131 (*emphasis added*).

Independent Claims 1, 13, 33, and 44 are Allowable over *Shenoda*

Claim 1 of the Application recites the following:

A method for call routing, comprising:
receiving a call request at a first call manager from a first telephony device coupled to a packet-based network, the call request including a telephone number associated with a second telephony device;
accessing a route list associated with the telephone number to determine a port of a gateway device operable to transmit the call request to the second telephony device, wherein the route list comprises one or more route groups, each route group including a list of one or more ports of one or more gateway devices; and
communicating the call request to a second call manager controlling the gateway device included in the route list.

Claims 13, 33, and 44 recites similar, although not identical, limitations.

The Office Action states that *Shenoda* discloses all the limitations of Claim 1 and, more specifically, that it discloses a “route list [that] comprises one or more route groups, each route group including a list of one or more ports of one or more gateway devices” (citing *Shenoda*, Col. 6; Lines 39-52). Although, *Shenoda* discloses global routing tables (which the Office Action appears to equate to the claimed “route list”), system routing tables, and management routing tables, none of these elements discloses a route list that includes *route groups*. *Shenoda* discloses that the routing tables include telephone information that can be used to route telephone calls. (*Shenoda*, Col. 6; Lines 40-42). However, *Shenoda* fails to disclose a route list that comprises *one or more route groups, each route group including a list of one or more ports of one or more gateway devices*, as recited in amended Claim 1 (and similarly, although not identically, in amended Claims 13, 33, and 44).

In rejecting Claims 1, 13, 33, and 44, Applicants submit that the Office Action fails to consider each and every word of these claims. “All words in a claim must be considered in judging the patentability of that claim against the prior art.” M.P.E.P. § 2143.03 (citing *In re Wilson*, 424 F.2d 1382, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970)). In judging the patentability of Claims 1, 13, 33, and 44, the Office Action fails to consider the recitation of “route groups” in these claims. As required by Claims 1, 13, 33, and 44, the route list must comprise route groups that themselves contain “one or more ports of one or more gateway devices.”¹ However, the Office Action appears to rely on the same element of *Shenoda* (routing tables) to disclose both the route list and route group limitations of Claims 1, 13, 33, and 44. *Shenoda* cannot teach route lists that contain route groups when the same element (routing tables) is used to teach both route lists and route groups (since the element cannot contain itself). Even assuming, for the purposes of argument, that the “telephone number information” included in the routing tables of *Shenoda* is equivalent to the “one or more ports of one or more gateway devices” included in the route groups recited in Claims 1, 13, 33, and 44, there is still no disclosure of a “route list” that contains these routing tables. In short,

¹ By way of example and without limitation, Applicants direct the Examiner's attention to the discussion of route lists and route groups in the present application with reference to FIGURES 6A and 6B on pages 31-33 of the “Detailed Description of the Invention.”

Shenoda fails to disclose route lists that includes route groups that includes one or more ports of one or more gateway devices.

For at least these reasons, amended Claims 1, 13, 33, and 44 are allowable over *Shenoda*. Therefore, Applicants respectfully request reconsideration and allowance of amended Claims 1, 13, 33, and 44.

The Dependent Claims are Also Allowable over *Shenoda*

Dependent Claims 2-4, 6-12, 14-16, 18-32, 34-43, 45-56, and 48-51 depend from, and incorporate all of the limitations of independent claims 1, 13, 33, or 44, which are allowable for the reasons discussed above. Therefore, dependent Claims 2-4, 6-12, 14-16, 18-32, 34-43, 45-56, and 48-51 are allowable as they depend from allowable base claims. In addition to their dependence on allowable base claims, at least dependent Claims 3-4, 11, 15-16, 18, 23-24, 34-35, 37, 45-46, and 48 are also allowable because they each contain additional limitations not disclosed in *Shenoda*, as described below.

Claims 3, 15, 34, and 45 are Allowable over *Shenoda*

Claim 3 recites, in part, "accessing a registration information table to determine a process identification (PID) of a route list control process." Claims 15, 34, and 45 recite similar, although not identical, limitations. The Office Action states that *Shenoda* discloses this limitation (citing *Shenoda*, Col. 5; Lines 32-38, 51-63, and Col. 6; Lines 39-52). Furthermore, the Office Action provides a "Response to Arguments" section that purportedly addresses the Applicants' arguments in their last Response; however, this section simply reiterates the rejection of the claims and points to the same passages of *Shenoda* without explaining how those passages disclose the recited limitations. These cited passages from *Shenoda* merely disclose that a multi-purpose switch uses source and destination information to establish a connection over an ATM network, where an ATM cell header can include VPI and VCI information used to route calls. *Shenoda* fails to disclose a process identification (PID) of a route control process, let alone accessing a registration information table to determine the PID, as recited in Claim 3, and similarly, although not identically, in Claims

15, 34, and 45. For at least this additional reason, Claims 3, 15, 34, and 45 are allowable over *Shenoda*. Therefore, Applicants respectfully request reconsideration and allowance of Claims 3, 15, 34, and 45.

Claims 4, 16, 35, and 46 are Allowable over *Shenoda*

Claim 4 recites, in part, accessing a route list to obtain the device name and a port number of the gateway device. Claims 16, 35, and 46 recite similar, although not identical, limitations. The Office Action states that *Shenoda* discloses this limitation (citing *Shenoda*, Col. 5; Lines 32-38, 51-63, and Col. 6; Lines 39-52). As described above, these passages of *Shenoda* merely disclose that a multi-purpose switch uses source and destination information to establish a connection over an ATM network, where an ATM cell header can include VPI and VCI information used to route calls. The “Response to Arguments” section of the Office Action does not explain how these passages disclose the recited limitations. In fact, *Shenoda* fails to disclose a route list containing a device name and a port number for a gateway device, let alone accessing a route list to obtain the device name and a port number of the gateway device. For at least this additional reason, Claims 4, 16, 35, and 46 are allowable over *Shenoda*. Therefore, Applicants respectfully request reconsideration and allowance of Claims 4, 16, 35, and 46, as well as all claims that depend from Claims 4, 16, 35, and 46.

Claims 6, 11, 18, 37, and 48 are Allowable over *Shenoda*

Claim 6 recites, in part, accessing a device name mapping table using the device manager to determine a PID of a first device process executed by the second call manager and controlling the gateway device. Claims 11, 18, 37, and 48 recite similar, although not identical, limitations. The Office Action states that *Shenoda* discloses this limitation (citing *Shenoda*, Col. 9-10; Lines 66-28). Furthermore, the “Response to Arguments” section of the Office Action simply reiterates the rejection of the claims and points to the same passage of *Shenoda* without explaining how that passage discloses the recited limitations. The cited passage of *Shenoda* merely discloses: (1) that permanent virtual connections (PVCs) can be maintained between multiple service modules and a system controller, (2) that an initial

address message (IAM) is generated by a service switching point and used to determine a route for the call, and (3) a call manager uses a resource manager to determine an egress interface for the call. *Shenoda* fails to disclose a *device mapping table*, let alone accessing the device mapping table to determine a process identification of a first device process executed by a second call manager, as recited in Claim 6, and similarly, although not identically, in Claims 11, 18, 37, and 48. For at least this additional reason, Claims 6, 11, 18, 37, and 48 are allowable over *Shenoda*. Therefore, Applicants respectfully request reconsideration and allowance of Claims 6, 11, 18, 37, and 48, as well as all claims that depend from Claims 6, 18, 37, and 48.

Claim 23 is Allowable over *Shenoda*

Claim 23 recites, in part, a device manager operable to receive a signal indicating that a new gateway device has registered with the call manager. The Office Action states that *Shenoda* discloses this limitation (again citing *Shenoda*, Col. 9-10; Lines 66-28). The “Response to Arguments” section of the Office Action does not explain how this passage discloses the recited limitations. In fact, *Shenoda* merely discloses: (1) that permanent virtual connections (PVCs) can be maintained between multiple service modules and a system controller, (2) that an initial address message (IAM) is generated by a service switching point and used to determine a route for the call, and (3) a call manager uses a resource manager to determine an egress interface for the call. *Shenoda* fails to disclose a signal indicating that a new gateway device has registered with the call manager, as recited in Claim 23. For at least this additional reason, Claim 23 is allowable over *Shenoda*. Therefore, Applicants respectfully request reconsideration and allowance of Claim 23.

Claim 24 is Allowable over *Shenoda*

Claim 24 of the present invention recites:

The call manager of Claim 18, wherein the device manager is further operable to:

receive a signal indicating that a gateway device is no longer under the control of the call manager;

delete the device name and associated PID of the gateway device from the device name mapping table; and

communicate a deletion signal to the second call manager coupled to the packet-based network indicating that the device name and associated PID should be deleted from a device name mapping table of the second call manager.

The Office Action states that *Shenoda* discloses these limitations (again citing *Shenoda*, Col. 9-10; Lines 66-28). Furthermore, the “Response to Arguments” section of the Office Action simply reiterates the rejection of the claims and points to the same passage of *Shenoda* without explaining how that passage discloses the recited limitations. As discussed above, the cited passage of *Shenoda* merely discloses: (1) that permanent virtual connections (PVCs) can be maintained between multiple service modules and a system controller, (2) that an initial address message (IAM) is generated by a service switching point and used to determine a route for the call, and (3) a call manager uses a resource manager to determine an egress interface for the call. However, *Shenoda* fails to disclose: (1) a signal indicating that a gateway device is no longer under the control of the call manager, and (2) a deletion signal indicating that the device name and associated PID should be deleted from a device name mapping table of the second call manager, as disclosed in Claim 24. Furthermore, *Shenoda* fails to disclose a device manager operable to delete the device name and associated PID of the gateway device from the device mapping table, as recited in Claim 24. For at least these additional reasons, Claims 24 is allowable over *Shenoda*. Therefore, Applicants respectfully request reconsideration and allowance of Claims 24.

Claim 25 is Allowable over *Shenoda*

Claim 25 recites, in part, a device manager operable to receive a signal indicating that a third call manager has come on-line in the packet-based network. The Office Action stated that *Shenoda* discloses this limitation (citing *Shenoda*, Col. 6; Lines 39-46; Col. 10; Lines

11-28, 52-58). *Shenoda* discloses global routing tables and system routing tables that contain telephone information that can be used to route telephone calls. (*Shenoda*, Col. 6; Lines 39-46). Also, *Shenoda* merely discloses that an initial address message (IAM) is generated by a service switching point and used to determine a route for the call and that a call manager uses a resource manager to determine an egress interface for the call. (*Shenoda*, Col. 10; Lines 17-24). However, *Shenoda* fails to disclose a signal indicating that a third call manager has come on-line in the packet-based network, as recited in Claim 25. For at least this additional reason, Claim 25 is allowable over *Shenoda*. Therefore, Applicants respectfully request reconsideration and allowance of Claim 25.

Claim 26 is Allowable over *Shenoda*

Claim 26, as amended, recites, a device manager operable to receive a signal indicating that the second call manager has gone off-line and delete the device name and associated PID of the gateway devices controlled by the second call manager. The Office Action states that *Shenoda* discloses this limitation (citing *Shenoda*, Col. 2; Lines 39-58). Furthermore, the “Response to Arguments” section of the Office Action simply reiterates the rejection of the claims and points to the same passage of *Shenoda* without explaining how that passage discloses the recited limitations. As discussed above, the cited passage of *Shenoda* discloses that if a destination telephone is not coupled to a service switching point (SSP), the call information is routed to the appropriate SSP to relay the call. (*Shenoda*, Col. 2; Lines 47-49). However, *Shenoda* fails to disclose a signal indicating that a second call manager has gone-off line, as recited in Claim 26. For at least this additional reason, Claims 26 is allowable over *Shenoda*. Therefore, Applicants respectfully request reconsideration and allowance of Claims 26.

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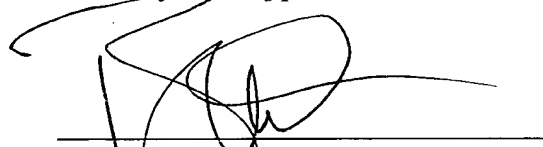
CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully requests full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Brian W. Oaks, Attorney for Applicants, at the Examiner's convenience at (214) 953-6986.

Although no fees are believed to be due, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,
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